



# SCHIEF & STONE, L.L.P.

Legal counsel based on solid principles.

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## CERTIFICATE OF MAILING UNDER 37 CFR § 1.8

Date of Mailing: November 10, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the above identified date.

Leah Siegel

*Leah Siegel*

Typed or printed name of person mailing paper or fee

SIGNATURE of person mailing paper or fee

November 10, 2004

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

DOCKET NUMBER: 1578.101

Sir:

In re: U.S. Serial No. 10/775,609  
Inventor: Ashok Patel, et al.

Enclosed please find:

- ☒ Petition Under 35 U.S.C. §116 and 37 C.F.R. S1.47(a)
- ☒ Attachment Schedule A;
- ☒ Attachment Schedule B;
- ☒ Attachment Schedule C;
- ☒ Post Card

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication, or credit any overpayment, to Deposit Account No. 50-2032. A duplicate copy of this sheet is enclosed.

- ☒ Any additional filing fees required under 37 CFR 1.16
- ☒ Any patent application processing fees under 37 CFR 1.17

Respectfully submitted,

By:

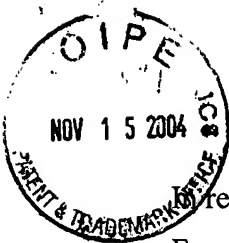
*Robert H. Kelly*

Robert H. Kelly, Reg. No. 33,922  
Attorney for Applicant

SCHIEF & STONE, L.L.P.  
P.O. Box 12608  
Dallas, Texas 75225  
Tel: (214) 706-4201  
Fax: (214) 706-4242

**BEST AVAILABLE COPY**


AF



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: ASHOK PATEL AND HONGJUN ZHANG  
For: APPARATUS, AND ASSOCIATED METHOD, FOR FACILITATING INITIATION  
OF CHANNEL ALLOCATION TO COMMUNICATE DATA IN A RADIO  
COMMUNICATION SYSTEM  
U.S. Serial No.: 10/775,609  
Filed: FEBRUARY 10, 2004  
Group Art Unit: 2681  
Examiner: NOT YET ASSIGNED  
Docket No.: 1578.101 (PUS1472)

Mail Stop Petition  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Mail Stop Petition Commissioner of Patents P.O. Box 1450 Alexandria, VA. 22313-1450	
on	November 10, 2004
	
Leah Siegel	

**PETITION UNDER 35 U.S.C. § 116 AND 37 C.F.R. § 1.47(a)**

Dear Sir:

Petition is hereby made pursuant to 35 U.S.C. § 116 and 37 C.F.R. § 1.47(a) to make the above-identified patent application on behalf of a joint inventor, Hongjun Zhang, who is unavailable to join in the application for patent.

The undersigned practitioner states and avers the following pertinent facts:

1. I am a patent attorney, USPTO registration number 33,922.
2. I prepared the subject patent application on behalf of Research in Motion, Limited, a Canadian Company having a place of business at 295 Phillip Street, Waterloo, Ontario, N2L 3W8.
3. Two inventors were named as inventors of one or more claims of the

subject patent application. More particularly, Hongjun Zhang and Ashok Patel are named as co-inventors of the subject patent application.

4. At the time of invention, both of the co-inventors were employed by Research in Motion, Limited.

5. An international patent application based upon the subject matter of the subject patent application, and identical thereto, was filed with the Canadian Patent Office acting as the receiving office on 12 February 2003.

6. A declaration of co-inventor Hongjun Zhang in conformity with Rules 4.17(iv) and 51bis.1(a)(iv) was executed on 22 February 2003. A copy of the declaration is attached as Attachment A.

7. A declaration of co-inventor Ashok Patel in conformity with Rules 4.17(iv) and 51bis.1(a)(iv) was executed on 31 march 2003. A copy of the declaration is attached as Attachment B.

8. The subject patent application was filed with United States Patent and Trademark Office on 10 February 2004 by a law firm with which I am not associated. The subject patent application was filed pursuant to 35 U.S.C. § 119 (not 35 U.S.C. § 371), claiming the priority of the international patent application of PCT/CA03/00204 and is identical to the corresponding international patent application.

9. A notice to file missing parts was issued by the United States Patent and Trademark Office on 10 May 2004.

10. On 15 July 2004, responsibility of the application was transferred from the law firm that filed the patent application to me, and the file was delivered to my custody on or about 10 August 2004.

11. On 9 September 2004, I caused requests to be sent to the co-inventors to execute declarations for the subject patent application.

12. On 13 October 2004, I was informed that co-inventor Hongjun Zhang is no longer employed with Research in Motion, Limited.

13. On 29 October 2004, co-inventor Ashok Patel returned an executed declaration document. A copy of the declaration document is attached as Attachment C.

14. Upon information and belief, Research in Motion, Limited does not

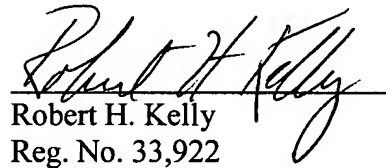
have a current forwarding address by which to contact the non-signing co-inventor Hongjun Zhang. The last known address of the co-inventor is : 271 Eiwo Court, Unit 201, Waterloo, Ontario, N2K 2M8, Canada.

15. As the non-signing co-inventor can not be reached, petition is hereby made that the application be made by the available, co-inventor Ashok Patel on behalf of the unavailable, non-signing co-inventor Hongjun Zhang.

16. The Commissioner is authorized to debit the deposit account 50-2032 for all fees required pursuant to this petition and corresponding patent application.

Respectfully submitted,

Dated: 10 Nov 04

  
Robert H. Kelly  
Reg. No. 33,922

SCHEEF & STONE, L.L.P.  
P.O. Box 12608  
Dallas, Texas 75225  
Telephone: (214) 706-4201  
Fax: (214) 706-4242  
[robert.kelly@scheefandstone.com](mailto:robert.kelly@scheefandstone.com)

**Box No. VIII (iv) DECLARATION: INVENTORSHIP** (only for the purposes of the designation of the United States of America)  
*The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.*

**Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv))  
 for the purposes of the designation of the United States of America:**

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/.....CA03/00204..... (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

Prior Applications: .....

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: ZHANG, Hongjun

Residence: Waterloo, CANADA

(city and either US state, if applicable, or country)

Mailing Address: 295 Phillip Street

Waterloo, Ontario, N2L 3W8, CANADA

Citizenship: Canadian

Inventor's Signature: See previous page. Date: .....  
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent) (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name: PATEL, Ashok C.

Residence: .....  
 (city and either US state, if applicable, or country)

Mailing Address: 295 Phillip Street

Waterloo, Ontario, N2L 3W8, CANADA

Citizenship: Canadian

Inventor's Signature: Ashok Patel Date: Mar. 31, 2003  
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent) (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

☐ This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".

Attachment Schedule A

**Box No. VIII (iv) DECLARATION: INVENTORSHIP (only for the purposes of the designation of the United States of America)**

*The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.*

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for the purposes of the designation of the United States of America:**

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/.....CA03/00204..... (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

Prior Applications: .....

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: ZHANG, Hongjun .....

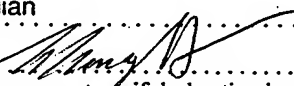
Residence: Waterloo, CANADA .....

(city and either US state, if applicable, or country)

Mailing Address: 295 Phillip Street .....

Waterloo, Ontario, N2L 3W8, CANADA .....

Citizenship: Canadian .....

Inventor's Signature:  .....

(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: Feb 23, 2003 .....

(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name: .....

Residence: .....

(city and either US state, if applicable, or country)

Mailing Address: .....

Citizenship: .....

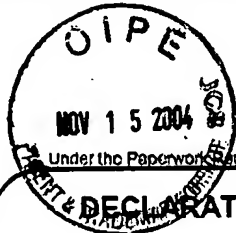
Inventor's Signature: .....

(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: .....

(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

☐ This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".



PTO/SB/01 (08-03)

Approved for use through 07/31/2008. OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1985, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

# DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)



Declaration  
Submitted  
With Initial  
Filing

OR



Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket Number	1578.184 (prev. 555255012708)
First Named Inventor	Hongjun Zhang
COMPLETE IF KNOWN	
Application Number	10/775.609
Filing Date	February 10, 2004
Art Unit	2681
Examiner Name	Not yet assigned

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

APPARATUS, AND ASSOCIATED METHOD, FOR FACILITATING INITIATION OF  
CHANNEL ALLOCATION TO COMMUNICATE DATA IN A RADIO COMMUNICATION  
SYSTEM

(Title of the Invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

02/10/2004

as United States Application Number or PCT International

Application Number

10/775.609

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority		Certified Copy Attached?	
			Not Claimed		Yes	No
PCT/CA03/00204	WO	02/12/2003	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

(Page 1 of 2)

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Attachment Schedule C

PTO/SB/01 (06-03)

Approved for use through 07/31/2003. OMB 0651-0032

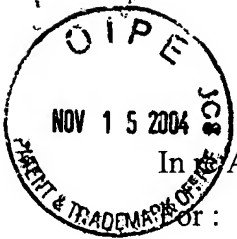
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION — Utility or Design Patent Application**

Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number: <b>30973</b>		OR <input type="checkbox"/> Correspondence address below	
Name			
Address			
City	State	ZIP	
Country	Telephone	Fax	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) <b>Hongjun</b>		Family Name or Surname <b>Zhang</b>	
Inventor's Signature			Date
Residence: City	State	Country	Citizenship
Mailing Address			
City	State	ZIP	Country
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) <b>Ashok</b>		Family Name or Surname <b>Patel</b>	
Inventor's Signature <b>Ashok Patel</b>			Date <b>Oct 29, 2004</b>
Residence: City <b>Waterloo</b>	State <b>Ontario</b>	Country <b>CANADA</b>	Citizenship <b>CANADA</b>
Mailing Address <b>101 Ashberry Place</b>			
City <b>Waterloo</b>	State <b>Ontario</b>	ZIP <b>N2T-1G8</b>	Country <b>CANADA</b>
<input type="checkbox"/> Additional inventors or a legal representative are being named on the supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.			





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of: ASHOK PATEL AND HONGJUN ZHANG  
For: APPARATUS, AND ASSOCIATED METHOD, FOR FACILITATING INITIATION  
OF CHANNEL ALLOCATION TO COMMUNICATE DATA IN A RADIO  
COMMUNICATION SYSTEM

U.S. Serial No.: 10/775,609  
Filed: FEBRUARY 10, 2004  
Group Art Unit: 2681  
Examiner: NOT YET ASSIGNED  
Docket No.: 1578.101 (PUS1472)

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*Leah Siegel*  
Leah Siegel

**PETITION UNDER 35 U.S.C. § 116 AND 37 C.F.R. § 1.47(a)**

Dear Sir:

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The undersigned practitioner states and avers the following pertinent facts:

1. I am a patent attorney, USPTO registration number 33,922.
2. I prepared the subject patent application on behalf of Research in  
Motion, Limited, a Canadian Company having a place of business at 295 Phillip Street,  
Waterloo, Ontario, N2L 3W8.
3. Two inventors were named as inventors of one or more claims of the

subject patent application. More particularly, Hongjun Zhang and Ashok Patel are named as co-inventors of the subject patent application.

4. At the time of invention, both of the co-inventors were employed by Research in Motion, Limited.

5. An international patent application based upon the subject matter of the subject patent application, and identical thereto, was filed with the Canadian Patent Office acting as the receiving office on 12 February 2003.

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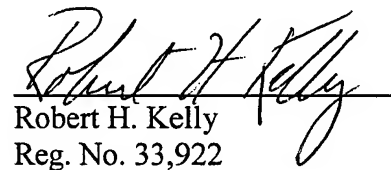
have a current forwarding address by which to contact the non-signing co-inventor Hongjun Zhang. The last known address of the co-inventor is : 271 Eiwo Court, Unit 201, Waterloo, Ontario, N2K 2M8, Canada.

15. As the non-signing co-inventor can not be reached, petition is hereby made that the application be made by the available, co-inventor Ashok Patel on behalf of the unavailable, non-signing co-inventor Hongjun Zhang.

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Respectfully submitted,

Dated: 10 Nov 04

  
Robert H. Kelly  
Reg. No. 33,922

SCHEEF & STONE, L.L.P.  
P.O. Box 12608  
Dallas, Texas 75225  
Telephone: (214) 706-4201  
Fax: (214) 706-4242  
[robert.kelly@scheefandstone.com](mailto:robert.kelly@scheefandstone.com)

**Box No. VIII (iv) DECLARATION: INVENTORSHIP** (only for the purposes of the designation of the United States of America)  
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Name: ZHANG, Hongjun .....

Residence: Waterloo, CANADA  
 (city and either US state, if applicable, or country)

Mailing Address: 295 Phillip Street  
 Waterloo, Ontario, N2L 3W8, CANADA

Citizenship: Canadian .....

Inventor's Signature: See previous page.  
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: .....  
 (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name: PATEL, Ashok C. ....

Residence: .....  
 (city and either US state, if applicable, or country)

Mailing Address: 295 Phillip Street  
 Waterloo, Ontario, N2L 3W8, CANADA

Citizenship: Canadian .....

Inventor's Signature: Ashok Patel  
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: Mar. 31, 2003  
 (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

☐ This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".

Attachment Schedule A

Box No. VIII (iv) **DECLARATION: INVENTORSHIP** (only for the purposes of the designation of the United States of America)  
*The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.*

**Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv))  
 for the purposes of the designation of the United States of America:**

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/.....CA03/00204..... (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

Prior Applications: .....

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: ZHANG, Hongjun

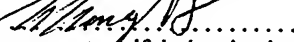
Residence: Waterloo, CANADA

(city and either US state, if applicable, or country)

Mailing Address: 295 Phillip Street

Waterloo, Ontario, N2L 3W8, CANADA

Citizenship: Canadian

Inventor's Signature:   
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: Feb. 22, 2003  
 (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name: .....

Residence: .....

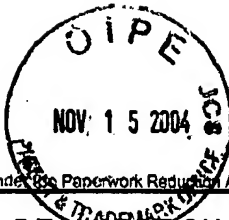
Mailing Address: .....

Citizenship: .....

Inventor's Signature: .....  
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: .....  
 (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

☐ This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".

**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**Declaration  
Submitted  
With Initial  
Filing

OR

Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket Number 1578.184 (prev. 555255012708)

First Named Inventor Hongjun Zhang

**COMPLETE IF KNOWN**

Application Number 10/775,609

Filing Date February 10, 2004

Art Unit 2681

Examiner Name Not yet assigned

**I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**APPARATUS, AND ASSOCIATED METHOD, FOR FACILITATING INITIATION OF  
CHANNEL ALLOCATION TO COMMUNICATE DATA IN A RADIO COMMUNICATION  
SYSTEM**

(Title of the invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

02/10/2004

as United States Application Number or PCT International

Application Number 10/775,609 and was amended on (MM/DD/YYYY) (If applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d), or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority		Certified Copy Attached?	
			Not Claimed		Yes	No
PCT/CA03/00204	WO	02/12/2003	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

(Page 1 of 2)

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Attachment Schedule C

PTO/SB/01 (06-03)

Approved for use through 07/31/2003. OMB 0651-0032

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**DECLARATION — Utility or Design Patent Application**

Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number: <b>30973</b>		OR <input type="checkbox"/> Correspondence address below	
Name			
Address			
City		State	ZIP
Country	Telephone	Fax	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) <b>Hongjun</b>		Family Name or Surname <b>Zhang</b>	
Inventor's Signature			Date
Residence: City	State	Country	Citizenship
Mailing Address			
City	State	ZIP	Country
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) <b>Ashok</b>		Family Name or Surname <b>Patel</b>	
Inventor's Signature <b>Ashok Patel</b>			Date <b>Oct 29, 2004</b>
Residence: City <b>Waterloo</b>	State <b>Ontario</b>	Country <b>CANADA</b>	Citizenship <b>CANADA</b>
Mailing Address <b>101 Ashberry Place</b>			
City <b>Waterloo</b>	State <b>Ontario</b>	ZIP <b>N2T-1G8</b>	Country <b>CANADA</b>
<input type="checkbox"/> Additional inventors or a legal representative are being named on the supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.			

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